



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

MEDICAL EDUCATION & RESEARCH DEPARTMENT

NOTIFICATION

The 22nd August, 2023

No.MER.207589/1042.- For removing any organ or tissue from the body of a person after his or her death (deceased donor), it is hereby notified as follows:

1. A registered medical practitioner, before removing any organ or tissue from the body of a person after his or her death (deceased donor), in consultation with transplant coordinator, shall satisfy himself the following, namely:-

1.1 That caution has been taken to make inquiry, from near relative or person in lawful possession of the body of a person admitted in Intensive Care Unit, only after certification of Brain Stem death of the person that the donor had, in the presence of two or more witnesses (at least one of whom is a near relative of such person), unequivocally authorised before his or her death as specified in Form 7 or in documents like driving license etc. (wherein the provision for donation may be incorporated after notification of these rules), the removal of his or her organ(s) or tissue(s) after his or her death, for therapeutic purposes and it has been ascertained that the donor has not subsequently revoked the aforesaid authorisation, and the consent of near relative or person in lawful possession of the body shall also be required notwithstanding the authorisation been made by deceased donor: Provided that if the deceased person who had earlier given authorisation but had revoked it subsequently and if the person had given in writing that his organ should not be removed after his death, then, no organ or tissue will be removed even if consent is given by the near relative or person in lawful possession of the body;

1.2 That the near relative of the deceased person or the person lawfully in possession of the body of the deceased donor has signed the declaration as specified in Form 8.

- 1.3 That in the case of brain-stem death of the potential donor, a certificate as specified in Form 10 has been signed by all the members of the Board of Medical Experts referred to in sub-section (6) of section 3 of the Act: 3 Provided that where a neurologist or a neurosurgeon is not available, an anesthetist or intensivist who is not part of the transplant team nominated by the head of the hospital duly empanelled by Appropriate Authority may certify the brain stem death as a member of the said Board;
 - 1.4 That in the case of brain-stem death of a person of less than eighteen years of age, a certificate specified in Form 10 has been signed by all the members of the Board of Medical Experts referred to in sub-section (6) of section 3 of the Transplantation of Human Organ Act, 1994 and an authority as specified in Form 8 has been signed by either of the parents of such person or any near relative authorised by the parent.
2. Procedure for donation of organ or tissue in medico legal cases:-
 - 2.1 After obtaining the consent to donate organs from a brain-stem dead donor by the authority for removal of organs or tissues, the registered medical practitioner of the hospital shall make a request to the concerned police authority of the area either directly or through the police post located in the hospital to facilitate timely retrieval of organs or tissue from the donor.
 - 2.2 It shall be ensured that, by retrieving organs, the determination of the cause of death is not jeopardised.
 - 2.3 The medical report in respect of the organs or tissues being retrieved shall be prepared at the time of retrieval by retrieving doctor (s) and shall be taken on record in postmortem notes by the registered medical practitioner doing postmortem.
 - 2.4 Wherever it is possible, attempt should be made to request the designated postmortem registered medical practitioner, even beyond office timing, to be present at the time of organ or tissue retrieval.
 - 2.5 In case a private retrieval hospital is not doing post mortem, they shall arrange transportation of body along with medical records, after organ or tissue retrieval, to the designated postmortem centre and the post mortem centre shall undertake the postmortem of such cases on priority, even beyond office timing, so that the body is handed over to the relatives with least inconvenience.
 3. Role of stake holders to facilitate retrieval of organ or tissue and its transport after getting information from retrieval team/ROTHO:
 - 3.1 108 ambulance services to be in readiness and Police to arrange green corridor to facilitate timely retrieval and transport of the organs or tissue from the site of origin to the site of destination.
 - 3.2 ADC-Health of the respective district to coordinate for such movement.

4. Name of Transplant Coordinator and the Nodal Officer of each Private/Public sector hospital is to be notified to the Govt. of Assam & ROTTO.
5. All transplant Coordinators, ICU doctors, IEC Consultants are to be trained at Nizam's Institute of Medical Sciences, Hyderabad or where possible at NOTTO for a period of two weeks. The respective hospital is to ensure that their team is trained for the organ or tissue retrieval.
6. State and region wise organ retrieval WhatsApp groups is to be created wherein all transplant coordinators, nodal officers and other stake holders are to be included.

SIDDHARTH SINGH,

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Medical Education & Research Department.